



Bear Mountain Recreation and Park District
A Special District
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, March 18, 2021
David Head Building
10300 San Diego Street
Lamont, California 93241
(www.bearmntprk.com)

MINUTES

1. REGULAR SESSION
2. CALL TO ORDER

The regular board of directors meeting of Bear Mountain Recreation and Park District was held Thursday, February 18, 2021, at 6:30 pm in the David Head Center at 10300 San Diego Street, Lamont, California. The District is a political subdivision in the State of California.

Present: Chairman Perez, Director Villanueva, Director Jimenez, Director Pimentel, and Director Alonso,

Staff Present: District Counsel; Nathan Hodges and District Manager, Lorena Cervantes, and Mrs. Horton

3. **FLAG SALUTE**

Meeting called to order at 6:34 p.m. Flag Salute: Chairman Jesus Perez

4. **APPROVE AGENDA AS FORM**

Director Jimenez motioned for approval of agenda as to form. Seconded by Director Pimentel. Approved 5 ayes, 0 noes and 0 absent.

5. **PRESENTATIONS**
 - a. None

6. PUBLIC COMMENTS

- a. **None**

7. ORAL COMMUNICATIONS

Special District Governance Certificate-Yovani Jimenez

Director Jimenez motioned for approval of agenda as to form. Seconded by Director Pimentel. Approved 5 ayes, 0 noes and 0 absent.

8. WRITTEN COMMUNICATIONS

- a. **None**

9. CONSENT AGENDA

Items are considered routine, non-controversial and generally approved in a single motion. A board member may request to have an item removed from the consent calendar for discussion of to be deferred. (May include Minutes, Financials, Resolutions, and Policy & Procedure matters).

- 9.1 Minutes
- 9.2 Pre-signed Vouchers
- 9.3 List of Bills

Director Jimenez motioned for approval of consent agenda. Seconded by Director Pimentel. Approved 5 ayes, 0 noes and 0 absent.

10. DEPARTMENTS REPORTS:

General Manager Report:

- 10.1 Maintenance -**Mr. Zamora**- we have a gopher problem at the Weedpatch Park, I think we need to invest on purchasing a gopher machine.
- 10.2 Recreation- **Ms. Horton**- update on Jr. Giants
- 10.3 District Manager- **Mrs. Cervantes**- I attended a couple of meetings and have been working with Mr. Hodges, I've also been working with Brown Armstrong with the engagement letter for the audit, I also been working with CAPRI the want us to pass the resolution this will be under board matters.

11. CALENDAR OF EVENTS:

- 11.1 Committee Meetings- **None**
- 11.2 Events-Schedule for David Head Center- all events have been cancelled.
- 11.3 Events-Senior Center- all events have been cancelled.

12. DISTRICT BOARD MATTERS:

- 12.1 **Discussion:** 2021 Board Committees
Personnel: Petra Villanueva and Jesus Perez

Budget/Salary/Finance: Petra Villanueva, Jesus Perez, and Lorena Cervantes
Five Year Plan/Steering: Yovani Jimenez, Fernando Alonso and Lorena Cervantes

Grants: Jesus Perez, Fernando Pimentel and Lorena Cervantes

Program/Fundraising: Fernando Pimentel and Fernando Alonso

AD HOC Committees: Community Outreach- Fernando Alonso and Yovani Jimenez

Presentation Committee- Jesus Perez and Petra Villanueva

Potential Action: Approve 2021 Board Committees

Mr. Perez- for the presentation committee myself and Mrs. Villanueva we can meet one or two more times and then we can present it **Mrs. Villanueva-** we can do that **Mr. Perez-** we can finish that off it will just exist for a month or two **Mr. Jimenez-** I know that because of COVID we have not done a presentation but maybe we can put it on the website **Mrs. Villanueva-** I think is a good idea because the community can put their comments.

12.2 Discussion: 2019-2020 Audit Engagement Letters from Brown Armstrong

Potential Action: Approve Brown Armstrong Engagement Letters to perform 2019-2020 Audit on April 12, 2021

Mr. Hodges- a financial audit is required every year; Brown Armstrong is the only CBA firm in town that does these audits of public entities and they do very good job.

Director Jimenez motioned for Approve Brown Armstrong Engagement Letters to perform 2019-2020 Audit on April 12, 2021. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

12.3 Discussion: CAPRI-Recommendation to the Board to pass a Resolution to extend Workers Compensation for Volunteers they will be covered at no additional premium.

Potential Action: Approve Resolution 2021-01 to extend Workers Compensation for Volunteers.

Mr. Hodges- I looked into the law for this and there is no issue to add this.

Director Jimenez motioned to approve item 12.3 Approve Resolution 2021-01 to extend Workers Compensation for Volunteers. Seconded by Director Alonso. Approved 5 ayes, 0 noes and 0 absent.

12.4 Discussion: Amend RESOLUTION 19-05- COMPENSATION OF BOARD OF DIRECTORS (Public Resources Code 5784.15).

Potential Action: 2021 Employee Handbook updates

No Action Taken

12.5 Discussion: 2021 Employee Handbook updates

Mr. Jimenez- is this something that must be updated every year is it something that the law requires **Mr. Hodges-** no you don't have to have a employee handbook but you do have one so the law presumes that your policies are what is in the handbook if your

policies are not following the law there is a presumption that your not following the law so you have to make sure you update them because if you have this that is following the law the presumption is that you are following the law is good to have this employee hand book and update it every year and these updates cover 2020 and the new laws in 2021 going into effect January 1st.

12.6 Discussion: County HSIP Uncontrolled Crosswalk Improvements Project- San Diego and Burgundy.

Option 1- Right of Way Contract for Permanent Easement with Easement Deed.

This option would make the County responsible for the maintenance of the improvements.

Option 2- Right of Way Contract for Temporary Construction Easement with TCE Deed.

Maintenance would remain the responsibility of the district with this option.

Potential Action: Approve one of the options mentioned above and proceed with necessary documentation.

Mr. Hodges- you have two options the county wants to come in and improve the sidewalk in front of the district to make the sidewalk handicap accessible the two options are for you to give them a temporary construction were they come in you give them the right to be on your property they make the improvements and then they leave after is concluded they have no responsibilities with the sidewalk what's so ever then is you're responsibility to maintain it and with the permanent easement you're granting them the right to come on to the property and maintain that for all time essentially or until they revoke that easement or until they give that easement right up one of the things that needs to be addressed if that is the direction you go, inside of the agreement that you have in your packet is not really clear about the responsibility for maintaining it the actual agreement isn't very specific about who's responsibility is to maintain so if that is the direction you go I recommend discussing it with the county and making sure that language is very clear another thing that needs to be put on there, because they are responsible for the maintenance that they are also liable for any injuries that occurred because is not maintain and that is not in that language is not in the agreement that would need to be negotiated and updated I would recommend if you get that language on there go with the permanent easement one of the things I want to make you aware of is when the county is coming in we need to have a domain or combination

Mr. Jimenez- can you explain what that means **Mr. Hodges-** a government agency like you're self-have the right to exercise emanate domain and request a compensation and here is seems that hey are asking to wave the compensation cause they are going to agree to maintain it as the compensation so usually they pay you for this type of thing there asking just to give it to them is not a lot of property the appraisal would probably come back at less than 1,000 dollars and you are going to spend more than that negotiating with them so I recommend that the maintenance provision is clarify and that the indemnification provision is clarify and I recommend to grant a permanent easement **Mr. Perez-** option number one is recommended **Mr. Hodges-** approve option

number one is recommended with and proceed with the agreement to include language to properly protect the district regarding maintenance and unification

Director Jimenez motioned to approve item 12.6 Approve Right of Way Contract for Permanent Easement with Easement Deed as long as the negotiation to include language with the agreement with the county properly protects the district from maintenance fees and properly indemnify the district relating to any liability that could extend from any in proper maintenance by the county of the permanent easement . Seconded by Director Pimentel. Approved 5 ayes, 0 noes and 0 absent.

12.7 Discussion: All employers and places of employment are required to establish and implement an effective COVID-19 Prevention Program (CPP) pursuant to an Emergency Temporary Standard in place for COVID-19 under California Code of Regulations, Title 8, Section 3205(c).

Potential Action: Approve (CPP) COVID Prevention Procedures Program

Director Jimenez motioned to approve item 12.7 Approve (CPP) COVID Prevention Procedures Program. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

12.8 Discussion: Agenda and scheduling of upcoming Committee Meeting.

Grant Committee- Date and Time to be scheduled at the regular board meeting.

Potential Action: Approval of upcoming Committee Meeting and Agenda.

Director Jimenez motioned to approve item 12.8 Approval of upcoming Committee Meeting and Agenda. Seconded by Director Alonso. Approved 5 ayes, 0 noes and 0 absent.

12.9 Discussion: Board Member Ethics and Sexual Harassment/Bullying Training Status Update.

Mrs. Cervantes- I looked into Director Alonso CSDA account for problems **Mr.**

Hodges- the staff has already done Ethics and Sexual Harassment/Bullying Training

13. FINANCIAL REPORTS:

13.1 Review of District's Financial Accounts- Action

13.2 QuickBooks Reports- Aged payable, balance sheet, profit, and loss

Director Jimenez motioned for approval of Financial Reports items 13.1 and 13.2. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

14. DISTRICT CLOSED SESSION:

14.1 Significant exposure to litigation pursuant to 54956.9(b): One Case

Director Villanueva motioned to approve going into closed session at 8:35 p.m.

Seconded by Director Jimenez. Approved 5 ayes, 0 noes and 0 absent.

Mr. Perez- we are now out of closed session the time is 9:13 p.m. no reportable action was taken during closed session.

15. DIRECTORS TIME:

Fernando Alonso- No comment

Fernando Pimentel- thank you.

Yovani Jimenez- thank you to legal services.

Petra Villanueva- I would like the General manager to look into trash cans at Weedpatch and there is a blue truck dumping trash at our park we should look into putting a camera to see the license plates and good night to everyone.

Jesus Perez- I want to thank our board of directors and our staff and our district counsel as well, I also wanted to direct our district manager to work with our district counsel in updating and implementing the new updates for our employee handbook and I also wanted for next month to have a agenda item added, new sign for Weedpatch Park I believe we used to have letters there I believe there are no letters there I want us to discuss what we should do about that as a board and months to follow take some type of an action on that I also would like our General Manager to add a item under General Manager to include social media website updates

16. ADJOURNMENT

Director Villanueva motioned to adjourn the meeting at 9:20 p.m. Seconded by Director Pimentel. Approved 5 ayes, 0 noes and 0 absent.